

REMARKS

Claims 1-38 were considered in the Office action dated July 22, 2005. All pending claims stand as rejected. Independent claims 1, 10, and 30 stand as rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Publication No. 2002/0154132 A1 (**Dumesny**); and independent claim 23 stands as rejected under 35 U.S.C. 103(a) as being unpatentable over **Dumesny** in view of U.S. Patent No. 5,371,778 (**Yanof**).

The dependent claims stand as rejected as being unpatentable over **Dumesny** alone, or over **Dumesny** in view of one or more of U.S. Patent No. 6,707,458 B1 (**Leather**), U.S. Patent No. 5,371,778 (**Yanof**), U.S. Patent No. 5,461,709 (**Brown**); U.S. Patent No. 6,822,635 B2 (**Shahoian**); and The Maya 4.5 Handbook, Watkins, Adam Charles River Media, Inc., 2003, pp. 332-336 (**Watkins**).

Without acquiescing to any of the arguments or rejections of the Office Action, the Applicant amends independent claims 1, 10, 23, and 30, and adds new dependent claims 39-42, as reflected in the Listing of Claims above. The amendments and new claims are supported in the application as originally filed, for example, at page 45, line 9, and at reference 1804 of Figures 18A, 18B, 19A, and 19B. No new matter is added.

Claims 1-42 will be pending upon entry of this paper.

The Office action states the following:

9. Applicant's arguments, see pages 11-14 of Applicant's Remarks, filed 12/21/05, with respect to the rejection(s) of claim(s) claims 1-33 under 35 U.S.C. 102 and 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of **Dumesny** and **Watkins**.

Applicant addresses the new ground(s) of rejection hereinbelow.

Amended independent claims 1, 10, and 30 patentably distinguish from the cited art – the cited art does not teach or suggest a *three-dimensional* graphical user interface element comprising at least one active location for adjusting a texture

Without acquiescing to any of the arguments or rejections of the Office Action, the Applicant amends each of independent claims 1, 10, and 30 to recite a *three-dimensional* graphical user interface element.

None of the cited art teaches or suggests a three-dimensional graphical user interface element for adjusting a texture.

The Office Action alleges that **Dumesny** discloses, "a 'widget' type graphical user interface element which represents user selected 'click-down' and endpoints ... that allows a user to manipulate the mapping of texture in the texture space." The best available copies of Figures 15A and 15B showing **Dumesny's** alleged 'widget' are reproduced below:

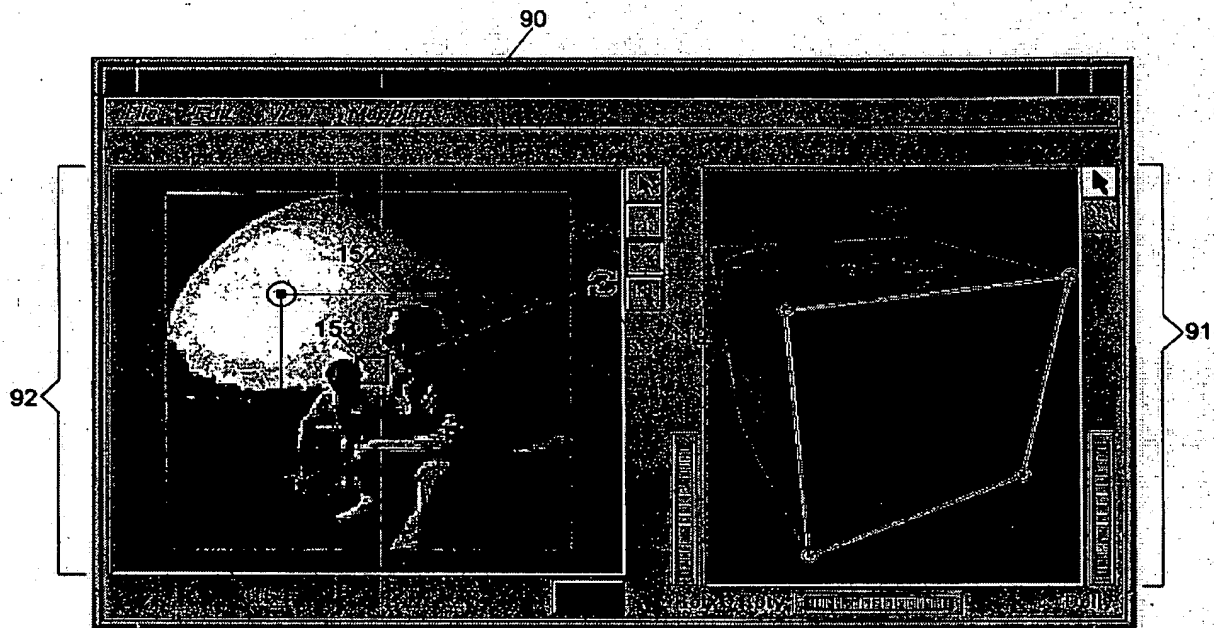


Fig. 15A

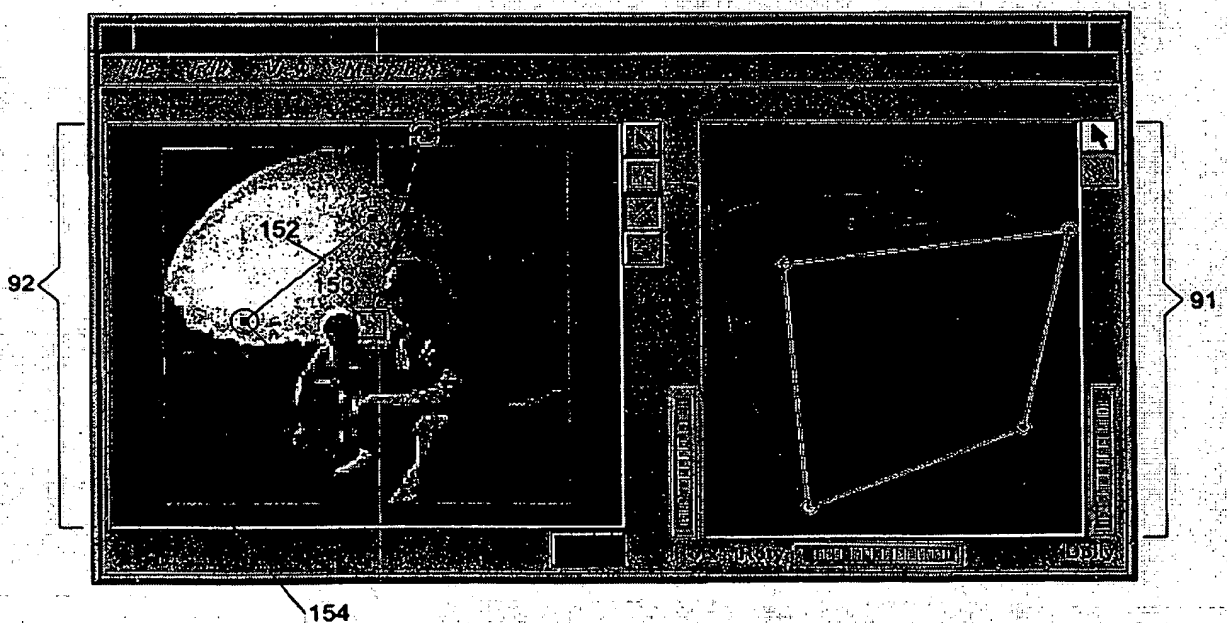



Fig. 15B

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Dumesny states the following on page 5 in paragraph [0057] regarding the “partial circle” icon “” in Figures 15A and 15B:

rotation point 153. Upon clicking down, visual feedback is provided to the user in the form of a partial circle 156 formed of two arced arrows (to indicate that the cursor may be rotated in either direction) and a blue-and-white dashed line 157 which rubber-bands to continuously extend between the rotation point 153 and the current cursor point as the user moves the cursor within texture space region 92 (to give the user a sense of the relative degree to which rotation has occurred).

Even if **Dumesny’s** “partial circle” icon, along with the “blue-and-white dashed line”, could be considered a graphical user interface element for adjusting a texture (which Applicant does not admit), *this icon is not three-dimensional*.

Furthermore, *Dumesny’s icon is rendered in two-dimensional texture space, not three-dimensional object space*, as recited in independent claims 1, 23, and 30. The left window in Figures 15A and 15B above, in which **Dumesny’s** icon appears, is a rendering of 2D texture space, not 3D object space.

The Office Action refers to paragraph [0074] of **Dumesny**, reproduced below, alleging, “**Dumesny** ... discloses an alternate embodiment of implementing the texture mapping and 3D graphical object windows together thereby adjusting texture objects within the 3D object space itself (see paragraph 74)”:

[0074] Other embodiments are within the scope of the claims. For example, instead of permitting users to modify a texture mapping by selectively adjusting positions of 3D object points within a separately displayed texture space region, users instead (or in addition) could modify a texture mapping by selectively adjusting positions of texture coordinates within the object space itself. For example, the object polygons could be displayed in one color or format and the corresponding texture coordinates could be displayed in a different style or format. In other words, the functionality of the two display regions 91 and 92 in FIG. 9A could be combined, interchanged or otherwise modified as desired according to a software developer’s preferences.

Even if **Dumesny’s** 2-D “partial circle” icon in texture space could be combined with the teaching of paragraph [0074], and if the combination could be considered to teach or suggest, “adjusting texture objects within the 3D object space itself,” (which Applicant does not admit),

there is no teaching or suggestion of a *three-dimensional* graphical user interface element as recited in independent claims 1, 10, 23, and 30 of the present application.

None of the other references cited in the Office Action – **Leather, Yanof, Brown, Shahoian, and Watkins** – teaches or suggests rendering a three-dimensional graphical user interface element in three-dimensional object space. Thus, each of the independent claims 1, 10, and 30 is patentable over all of the cited art. Likewise, because a dependent claim includes all of the limitations of the independent claim from which it depends, Applicant asserts that dependent claims 2-9, 11-22, 31-40, and 42 are patentable, at least on this basis. Applicant reserves the right to present further arguments regarding the patentability of the dependent claims in light of the cited art.

Independent claim 23 is patentable over the combination of **Dumesny** and **Yanof**

Independent claim 23 distinguishes from **Dumesny** because, for example, **Dumesny** does not teach or suggest a *three-dimensional* graphical user interface element comprising at least one active location for adjusting a texture, as recited in claim 23.

Yanof appears to have nothing to do with adjusting a texture, and makes no mention of either a texture or texture space. As described above with respect to **Dumesny**, **Yanof** does not teach or suggest a three-dimensional graphical user interface element as recited in claim 23. Therefore, independent claim 23 is patentable over a combination of **Dumesny** and **Yanof**, regardless of whether such a combination is motivated by the references themselves.

Likewise, because a dependent claim includes all of the limitations of the independent claim from which it depends, Applicant asserts that dependent claims 24-29 and 41 are patentable, at least on this basis. Applicant reserves the right to present further arguments regarding the patentability of the dependent claims in light of the cited art.

New dependent claims 39-42 further distinguish over the cited art

The Applicant introduces new dependent claims 39-42, which recite the “graphical user interface element comprises an X-axis, a Y-axis, and a Z-axis”. The new claims are supported in the application as originally filed, for example, at page 45, line 9, and at reference 1804 of Figures 18A, 18B, 19A, and 19B.

An example of a graphical user interface element comprising an X-axis, a Y-axis, and a Z-axis is shown at reference 1804 of Figure 18A, reproduced below:

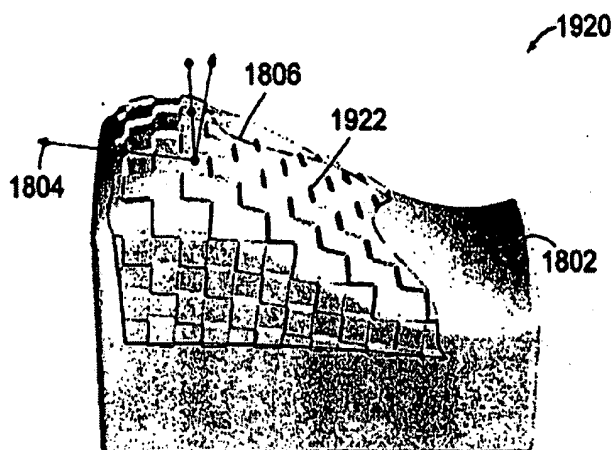


FIG. 19B

The three-dimensional GUI element 1804, having X-, Y-, and Z-axes, “offers a graphical representation of its position, scale, and orientation, which preferably relates to the position scale, and orientation of the mapped texture” (page 42, lines 19-21 of the specification). This provides, “an enhanced, intuitive experience for a user, enabling faster, improved adjustment of the mapped texture” (page 43, lines 8-10 of the specification).

None of the cited art teaches the limitations recited in claims 39-42.

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of all rejections, and allowance of claims 1-42 in due course. The Examiner is hereby cordially invited to contact Applicant’s undersigned representative by telephone at the number listed below to discuss any outstanding issues.

Respectfully submitted,

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